

JONATHAN O. PENA, ESQ.
CA Bar ID No. 278044
Peña & Bromberg, PLC
3467 W. Shaw Ave., Ste 100
Fresno, CA 93711
Telephone: 559-412-5390
Fax: 866-282-6709
info@jonathanpena.com
Attorney for Plaintiff

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA**

Wendell Wesley,
Plaintiff,

vs.
Leland Dudek, ACTING
COMMISSIONER OF SOCIAL
SECURITY¹,
Defendant.

Case No. 1:25-cv-00125-GSA
STIPULATION AND ORDER FOR
EXTENSION OF TIME

Pending the Court's approval, IT IS HEREBY STIPULATED, by and between the parties through their respective counsel of record, with the Court's approval, that Plaintiff shall have a 60-day extension of time, from April 28, 2025

¹ Leland Dudek became the Acting Commissioner of Social Security on February 16, 2025. Pursuant to Rule 25(d) of the Federal Rules of Civil Procedure, Leland Dudek should be substituted for Michelle King as the defendant in this suit. No further action need be taken to continue this suit by reason of the last sentence of section 205(g) of the Social Security Act, 42 U.S.C. § 405(g).

1 to June 27, 2025, for Plaintiff to serve on defendant with PLAINTIFF'S MOTION
2 FOR SUMMARY JUDGMENT. All other dates in the Court's Scheduling Order
3 shall be extended accordingly.

4 This is Plaintiff's first request for an extension of time. Plaintiff respectfully
5 states that the requested extension is necessary due several merit briefs being due
6 on the same week. For the weeks of April 28, 2025 and May 5, 2025, Counsel has
7 fourteen merit brief due. Counsel requires additional time to brief the issues
8 thoroughly for the Court's consideration. Defendant does not oppose the requested
9 extension. Counsel apologizes to the Defendant and Court for any inconvenience
10 this may cause.

11
12 Respectfully submitted,

13 Dated: April 1, 2025

PENA & BROMBERG, ATTORNEYS AT LAW

14
15 By: /s/ Jonathan Omar Pena
16 JONATHAN OMAR PENA
17 Attorneys for Plaintiff

18
19 Dated April 1, 2025

20 JOSEPH T. MCNALLY
21 United States Attorney
22 MATHEW W. PILE
23 Associate General Counsel
24 Office of Program Litigation
25 Social Security Administration

26 By: */s/ Justin Lane Martin
27 Justin Lane Martin
28 Special Assistant United States Attorney
Attorneys for Defendant
(*As authorized by email on April 1, 2025)

ORDER

Pursuant to stipulation,

IT IS SO ORDERED.

Dated: **April 3, 2025**

/s/ Gary S. Austin
UNITED STATES MAGISTRATE JUDGE